Docket No. 21419 US (C038435/0185660)

REPLY UNDER
37 CFR § 1.116
- - - - - - - - - - - - - - - - - - - -
EXPEDITED PROCEDURE
- - - - - - - - - - - - - - - - - - - -
TECHNOLOGY CENTER 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Tatsuo HOSHINO et al.   )   Examiner: I. H. Chowdhury

Serial No.: 10/528,845   )   Art Unit: 1652

Filed: January 17, 2006   )

For: **A GENE ENCODING VITAMIN B$_6$**   )
       PHOSPHATE PHOSPHATASE AND
       USE THEREOF

New York, New York
March 5, 2008

RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.116 INCLUDING AMENDMENT AND PETITION FOR EXTENSION OF TIME

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed September 7, 2007, which

set a three-month shortened statutory period for response. A three-month extension of

time to respond to the Office Action is hereby requested. Accordingly, this response is

filed timely upon mailing, with an executed certificate of mailing, on or before March 7, 2008. 37 CFR §§ 1.8 and 1.136. Enclosed is a check in the amount of $1,050.00 to cover the fee for the extension of time. 37 CFR § 1.17.

Also enclosed are a Notice of Appeal and a check for $510.00 to cover the fee for the Notice of Appeal. 37 CFR § 41.20(b)(1).

Please charge any required extension-of-time fees, Notice of Appeal fees, or any other fees, not otherwise paid by check to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8th Ed., Rev. 6, Sept. 2007, pp. 700-263 to 700-264) respectfully is solicited.

Please amend the application as follows:

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims, which begins on page 3 of this paper.

REMARKS begin on page 7 of this paper.